

PTO-1390 (Rev. 02-2005)

Approved for use through 03/31/2007. OMB 0651-0021

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 60384(71699)
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/539212
INTERNATIONAL APPLICATION NO. US03/40344	INTERNATIONAL FILING DATE 20 December 2003	PRIORITY DATE CLAIMED 20 December 2002
TITLE OF INVENTION TREATMENT OF METASTATIC COLON CANCER WITH B-SUBUNIT OF SHIGA TOXIN		
APPLICANT(S) FOR DO/EO/US Olga N. Kovbasnjuk et al.		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☐ The US has been elected (Article 31).
- ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - ☒ is attached hereto (required only if not communicated by the International Bureau).
 - ☐ has been communicated by the International Bureau.
 - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - ☐ is attached hereto.
 - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - ☐ are attached hereto (required only if not communicated by the International Bureau).
 - ☐ have been communicated by the International Bureau.
 - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - ☐ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
- ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
- ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

- ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☒ A preliminary amendment.
- ☐ An Application Data Sheet under 37 CFR 1.76.
- ☐ A substitute specification.
- ☐ A power of attorney and/or change of address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
- ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☒ Other items or information: Form PCT/IB/308; Form PCT/IB/301; Form PCT/IB/304; First Page of Published Int'l App. no. WO 2004/058158 A2 and Return Receipt Postcard

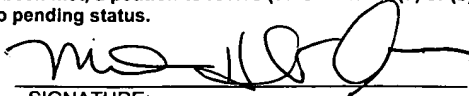
JC20 Rec'd PCT/PTO 17 JUN 2005

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U.S. APP. NO. 10/539212		INTERNATIONAL APPLICATION NO. US03/40344	ATTORNEY'S DOCKET NUMBER 60384(71699)
The following fees have been submitted			CALCULATIONS
21. <input checked="" type="checkbox"/> Basic national fee \$300			PTO USE ONLY
22. <input checked="" type="checkbox"/> Examination fee			
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100			
All other situations \$200			\$ 200.00
23. <input checked="" type="checkbox"/> Search fee			
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100			
International Search Report prepared and provided to the Office \$400			
All other situations..... \$500			\$ 100.00
TOTAL OF 21, 22 and 23 =			\$ 600.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.			
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE
51 - 100 =	/50 =		x \$250.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).			\$ 130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	17 - 20 =		x \$ 0.00
Independent claims	2 - 3 =		x \$ 0.00
MULTIPLE DEPENDENT CLAIM(s) (if applicable)			\$
TOTAL OF ABOVE CALCULATIONS =			\$ 730.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.			\$ 365.00
SUBTOTAL =			\$ 365.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).			\$
TOTAL NATIONAL FEE =			\$ 365.00
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property			\$
TOTAL FEES ENCLOSED =			\$ 365.00
			Amount to be refunded: \$
			Amount to be charged: \$
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>04-1105</u> in the amount of \$ <u>730.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>04-1105</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Peter F. Corless EDWARDS & ANGELL, LLP P.O. Box 55874 Boston, Massachusetts 02205 (617) 439-4444 CUSTOMER NUMBER: 49383</p> <p style="text-align: right;">  SIGNATURE: Melissa Hunter-Ensor NAME REGISTRATION NUMBER <u>55,289</u> </p>			

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<p><i>Effective on 12/08/2004.</i> <i>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</i></p> <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">For FY 2005</h3>		<p>Complete if Known</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td style="width: 50%;">10/539212</td> </tr> <tr> <td>Filing Date</td> <td>Concurrently Herewith</td> </tr> <tr> <td>First Named Inventor</td> <td>Olga N. Kovbasnjuk</td> </tr> <tr> <td>Examiner Name</td> <td>Not Yet Assigned</td> </tr> <tr> <td>Art Unit</td> <td>N/A</td> </tr> <tr> <td>Attorney Docket No.</td> <td>60384(71699)</td> </tr> </table>		Application Number	10/539212	Filing Date	Concurrently Herewith	First Named Inventor	Olga N. Kovbasnjuk	Examiner Name	Not Yet Assigned	Art Unit	N/A	Attorney Docket No.	60384(71699)
Application Number	10/539212														
Filing Date	Concurrently Herewith														
First Named Inventor	Olga N. Kovbasnjuk														
Examiner Name	Not Yet Assigned														
Art Unit	N/A														
Attorney Docket No.	60384(71699)														
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27															
TOTAL AMOUNT OF PAYMENT	(\$)	365.00													

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: <u>04-1105</u> Deposit Account Name: <u>The Johns Hopkins University</u>	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee	
<input type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Credit any overpayments	

FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____
2. EXCESS CLAIM FEES							
Fee Description	Fee (\$)	Small Entity Fee (\$)					
Each claim over 20 (including Reissues)	50	25					
Each independent claim over 3 (including Reissues)	200	100					
Multiple dependent claims	360	180					
<u>Total Claims</u> <u>Extra Claims</u> <u>Fee (\$)</u> <u>Fee Paid (\$)</u>			<u>Multiple Dependent Claims</u>				
17 - 20 = _____ x _____ = _____			Fee (\$) Fee Paid (\$)				
<u>Indep. Claims</u> <u>Extra Claims</u> <u>Fee (\$)</u> <u>Fee Paid (\$)</u>							
2 - 3 = _____ x _____ = _____							
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<u>Total Sheets</u> <u>Extra Sheets</u> <u>Number of each additional 50 or fraction thereof</u> <u>Fee (\$)</u> <u>Fee Paid (\$)</u>							
49 - 100 = _____ / 50 _____ (round up to a whole number) x _____ = _____							
4. OTHER FEE(S)							
Non-English Specification, \$130 fee (no small entity discount)							150.00
Other (e.g., late filing surcharge): 2631 Basic National Stage fee							100.00
2633 National Stage Examination Fee - all other ...							50.00
2641 National Stage Search Fee - U.S. was the ISA							65.00
2617 National Stage oath or declaration after thirty ...							_____

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	55,289
Telephone	(617) 439-4444		
Name (Print/Type)	Melissa Hunter-Ensor		
Date	June 17, 2005		

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 492338699 US, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: June 17, 2005	Signature: (Eileen M. Woodbury)

10/539212

JC20 Rec'd PCT/PTO 17 JUN 2005

Application No. (if known): Not Yet Assigned

Attorney Docket No.: 60384(71699)

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Telephone Number

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Fee Transmittal (1 page)
Transmittal Letter to the United States Designated-Elected Office (2 pages)
Preliminary Amendment (6 pages)
Copy of the International application (49 pages)
Drawings (8 Sheets)
Oath or declaration of the inventor(s) (4 pages)
Form PCT/IB/308 (1 page)
Form PCT/IB/301 (2 pages)
Form PCT/IB/304 (1 page)
First Page of Published Int'l App. WO 2004/058158 A2 (1 page)
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